Approved for use through 10/31/2002. OMB 0651-0032 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## UTILITY PATENT APPLICATION

1

Attorney Docket No.		No.	Matthews	To		
First Inventor MA		MA	TTHEWS, Donald	- P		
Title	Boring	Mach	nine and Auger Bit	1 U.S		

**TRANSMITTAL** ER046017815US Express Mail Label No. (Only for new nonprovisional applications under 37 C.F.R. 1.53(b)) Commissioner for Patents APPLICATION ELEMENTS ADDRESS TO: Box Patent Application See MPEP chapter 600 concerning utility patent application contents. Washington, DC 20231 1. 7. CD-ROM or CD-R in duplicate, large table or Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) Computer Program (Appendix) 2. 8. Nucleotide and/or Amino Acid Sequence Submission Applicant claims small entity status. See 37 CFR 1.27. (if applicable, all necessary) 3. a. Computer Readable Form (CRF) Total Pages 17 Specification b. Specification Sequence Listing on: (preferred arrangement set forth below) - Descriptive title of the Invention i. CD-ROM or CD-R (2 copies); or - Cross References to Related Applications ii. 🔲 paper - Statement Regarding Fed sponsored R & D c. Statements verifying identity of above copies Reference to sequence listing, a table, or a computer program listing appendix **ACCOMPANYING APPLICATIONS PARTS** - Background of the Invention - Brief Summary of the Invention 9. 📙 Assignment Papers (cover sheet & document(s)) - Brief Description of the Drawings ( if filed) Nower of 10. 37 C.F.R.§3.73(b) Statement - Detailed Description (when there is an assignee) Attorney - Claim(s) - Abstract of the Disclosure 11. English Translation Document (if applicable) 4. 12. Copies of IDS Information Disclosure Drawing(s) (35 U.S.C.113) [Total Sheets] Citations Statement (IDS)/PTO-1449 [Total Pages 5. Oath or Declaration 13. Preliminary Amendment 14. Return Receipt Postcard (MPEP 503) b. Copy from a prior application (37 CFR 1.63 (d)) (Should be specifically itemized) (for a continuation/divisional with Box 18 completed) 15. Certified Copy of Priority Document(s) i. DELETION OF INVENTOR(S) (if foreign priority is claimed) Signed statement attached deleting inventor(s) 16. 🛛 Request and Certification under 35 U.S.C. 122 named in the prior application, see 37 CFR (b)(2)(B)(i). Applicant must attach form PTO/SB/35 1.63(d)(2) and 1.33(b). or its equivalent. Application Data Sheet. See 37 CFR 1.76 17. 🖂 Other: Check #1282 for \$375.00 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: ☐ Continuation □ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09 / 982,729 Group / Art Unit: 3672 Examiner SMITH, Matthew Prior application information: For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 17. CORRESPONDENCE ADDRESS Correspondence address below ☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) Scott P. Zimmerman Name P.O. Box 3822 Address City NC 27519 Cary Zip Code State USA 919.387.6907 919.387.6959 Country Telephone Fax 41,390 Name (Print/Type) Registration No. (Attorney/Agent) Scott P. Zimmembar Date September 8, 2003 Signature

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

First N	lamed Inventor	Mathews, Donald				
Title	Boring Machine and Auger Bit					
Atty D	ocket Number	Matthews				

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 8, 2003

Date

Scott P. Zimmerman 41,390

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL					Complete if Known							
					Application Number							
= c				Filing Date Se				eptember 08, 2003				
for FY 2003				· · · · · · · · · · · · · · · · · · ·				athews, Donald				
	Tor FY 2003 Patent fees are subject to annual revision.				Examiner's Name							
	P T	Patent fees are subject to annual revision.				Art Unit		No.		-44		
	o o				Attorney Docket No. Matthews							
	<u> </u>	TAL AN		PAYMENT	\$375.00							
<b>57</b> 0≀		111.0		OF PAYMENT (check one	<u> </u>	<del> </del>				FEE CALCULATION (continued)		
	osit Accour		d L. Mon	ey Order 🔲 Other 🔲 No	one	3. ADD	ITIONAL	FEES				
,	Account No					Large Entity Small Entity						
						Fee	Fee	Fee	Fee			
						Code	(\$)	Code	(\$)			Fee Paid
Ì						1051	130	2051	65	Surcharge – late filing fee or oath		, 00 ( 0.0
Deposit A	Account Na	ame:				1052	50	2052	25	Surcharge – late provisional filing (	fee or cover	
						1052	120	1052	420	sheet.		
	<del></del>	<del></del>				1053	130	1053	130	Non-English specification		
				(check all that apply)		1812	2,520	1812	2,520	• , ,		
	ge fee(s) ir ne anv add			Credit any ove ng the pendency of this app		1804	920*	1804	9201	Requesting publication of SIR prior to Examine action		
				cept for the filing fee to the		1805	1,840*	1805	1,840		r Fyaminer	
account	,		, ,		io above identified deposit		,-		.,	action	- LAGITIMO	
		in the state of th				1251	110	2251	55	Extension for reply within first mon	th	
FEE CALCULATION					1252	410	2252	205	Extension for reply within second month			
1. BAŞIC	FILING	FEE				1253	930	2253	465	Extension for reply within third mor	nth	
Large	Entity	y Sn	nall Fee	Entity		1254	1,450	2254	725	Extension for reply within fourth mo	onth	
Fee Code	e Fee (\$)		Code	Fee Fee Description	n Fee Paid	Î						
1001	750		2001	(\$) 375 Utility filing fee	375.00	1255	1,970	2255	985	Extension for early within Eff.	<b>1</b> L	
1002	330		2002	165 Design filing fee		1401	320	2401	160	Extension for reply within fifth mont Notice of Appeal	מ	
1003	520		2003	260 Plant filing fee		1402	320	2402	160	Filing a brief in support of an appear	al	
1004	750		2004	375 Reissue filing fe	e	1403	280	2403	140			
1005	160		2005	80 Provisional filing	fee	1451	1,510	1451	1,510	Petition to institute a public use pro	ceedina	
				SUB	TOTAL (1): \$375.00	1452	110	2452	55	Petition to revive – unavoidable		
•		FEES I	FOR UTILI	TY AND REISSUE		1453	1,300	2453	650	Petition to revive – unintentional		
Total Clai		3	-		18.00 = 0.00	1501	1,300	2501	650	Utility issue fee (or reissue)		
,	ent Claims		1 -	3** = 0 X	84.00 = 0.00	1502	470	2502	235	Design issue fee		
•	ependent er previou		l if areater	; For Reissues, see below	= 0.00	1503	630	2503	315	Plant issue fee		
O Hallie	or previou	ory para	i, ii gicalci	, r or reissues, see below		1460 1807	130 50	1460 1807	130 50	Petitions to the Commissioner	7/->	
Large	Entity	Small	Entity			1806	180	1806	180	Processing fees under 37 CFR 1.1 Submission of Info Disclosure Stmt	\ <i>\</i>	
Fee	Fee	Fee	Fee	Fee Description		8021	40	8021	40			
Code	(\$)	Code	(\$)			0021	40	0021	40	Recording each patent assignment (times number of properties)	per property	
1202	18	2202	9	Claims in excess of 20		1809	750	2809	375	Filing a submission after final reject	ion	
1201	0.4	0004	40							(37 CFR 1.129(a))		
1201	84	2201	42	Independent claims in ex	cess of 3	1810	750	2810	375	For each additional invention to be CFR 1.129(b))	examined (37	
1203	280	2203	140	Multiple dependent claim	, if not paid	1801	750	2801	375	Request for Continued Examination	(RCF)	
					·	1802	900	1802	900	Request for expedited examination	, ,	
1204	Q.A	2204	42	#Deieese independent of	latana anno anti-tra			9		application	· ·	
1204	1204 84 2204 42 **Reissue independent claims over original patent 1205 18 2205 9 **Reissue claims in excess of 20 and over original			Other fee			י חיים					
00		2200	J	patent	oo oi zo anu ovel unginal	reduced	ny basic	Filing Fee	: raiq	S	SUBTOTAL (3):	\$0.00
				sµвтот	(AL (2): \$0.00							
SUBMITT										Complete (if applicable)		
Name (Pri	int/Type)	70.00	Scott P. Z	mmerman	Registration No. (Att	torney/Ag	ent)	41,390		Telephone:	919-387-6907	
Signature			4	the	(			Date		September 8, 2003		

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231. If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.